

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 30 2006 ✓
at 4 o'clock and 30 min. P.M.
SUE BEITIA, CLERK

Attorney for Defendant
HAWAII TRANSFER COMPANY, LIMITED

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;	) Civil No. CV03 00385 SOM-LEK
	) (Copyright)
Plaintiff,)
	) NOTICE OF MOTION; DEFENDANT
vs.	) HAWAII TRANSFER COMPANY,
	) LIMITED'S MOTION FOR AN
HAWAIIAN EXPRESS SERVICE, INC.,	) AWARD OF ATTORNEYS' FEES
a California corporation; et al.	) AND RELATED NON-TAXABLE
	) COSTS; MEMORANDUM IN
Defendants.	) SUPPORT OF MOTION; AFFIDAVIT
	) OF WESLEY H.H. CHING;
	) AFFIDAVIT OF EDMUND K.
	) SAFFERY; EXHIBITS "A" - "D";
	) CERTIFICATE OF SERVICE
)
)
	) [Non-Hearing Motion]
	) Magistrate: Hon. Leslie E. Kobayashi
)
) Trial: February 28, 2006

FILE IN CASE FOLDER

NOTICE OF MOTION

TO: TIMOTHY J. HOGAN, ESQ.
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C & S LOGISTICS OF HAWAII, LLC,
C & S ACQUISITIONS, LLC, ES3, LLC and RICHARD COHEN

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Attorneys for Defendant
ALIX PARTNERS, LLC

NOTICE IS HEREBY GIVEN that the undersigned has filed with the
above-entitled Court the motion attached hereto. Opposition to this motion must
be filed with the Court within eleven (11) days after service of the Statement of

Consultation. If service has been made by mail pursuant to Rule 6(e) of the Federal Rules of Civil Procedure, then any opposition to this motion must be filed with the Court no later than fourteen (14) days after service of the Statement of Consultation.

DATED: Honolulu, Hawaii, ^{MAR 30 2006}_____.


WESLEY H. H. CHING

Attorney for Defendant
HAWAII TRANSFER COMPANY,
LIMITED

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;	) Civil No. CV03 00385 SOM-LEK
	) (Copyright)
Plaintiff,)
	) DEFENDANT HAWAII TRANSFER
vs.	) COMPANY, LIMITED'S MOTION
	) FOR AN AWARD OF ATTORNEYS'
HAWAIIAN EXPRESS SERVICE, INC.,	) FEES AND RELATED NON-
a California corporation; et al.	) TAXABLE COSTS
)
Defendants.)
_____)


DEFENDANT HAWAII TRANSFER COMPANY, LIMITED'S
MOTION FOR AN AWARD OF ATTORNEYS' FEES AND
RELATED NON-TAXABLE COSTS

Defendant HAWAII TRANSFER COMPANY, LIMITED ("HTC"),
by and through its attorneys Fukunaga Matayoshi Hershey and Ching, hereby
moves this Honorable Court for an award of attorneys' fees and non-taxable costs
incurred in its defense of the above-entitled action as the Court entered its Second
Amended Judgment setting forth the final disposition of all parties' claims on
March 16, 2006. The amount of attorneys' fees sought is \$77,700.50, and the
amount of related non-taxable costs sought is \$3,052.30.

This motion is made pursuant to Rules 7 and 54(d) of the Federal
Rules of Civil Procedure, Local Rule 54.3 of the Rules of the United States
District Court for the District of Hawaii, Title 17 United States Code Section 505,

and is based on the Memorandum in Support of Motion, affidavits and exhibits attached hereto, and the entire record and files herein.

DATED: Honolulu, Hawaii, MAR 30 2008.


WESLEY H.H. CHING
Attorney for Defendant
HAWAII TRANSFER COMPANY,
LIMITED